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June 22, 2005

**TELECOPIER TRANSMITTAL SHEET**

**TELECOPY TO: COMMISSIONER FOR PATENTS**

**FAX NUMBER: (703) 872-9306**

**FROM: JOHN P. O'BANION**

**RE: 10/763,578  
BOW5075.14A1**

**CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8)**

I hereby certify that the enclosed:

1. **STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT (1 PAGE)**
2. **INFORMATION DISCLOSURE STATEMENT BY APPLICANT (FORM PTO/SB/08A) (1 PAGE)**

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JOHN P. O'BANION

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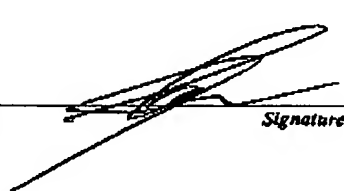
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<b>STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT</b>				Docket No. <b>BOW5075.14A1</b>	
In Re Application Of: <b>ROBERT W. BOWER</b>					
Application No. <b>10/763,578</b>	Filing Date <b>01/21/2004</b>	Examiner	Customer No. <b>8156</b>	Group Art Unit <b>2812</b>	Confirmation No. <b>4912</b>
Invention: <b>STRUCTURES, MATERIALS AND METHODS FOR FABRICATION OF NANOSTRUCTURES BY TRANPOSED SPLIT OF ION CUT MATERIALS</b>					
<u><b>COMMISSIONER FOR PATENTS:</b></u>					
This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.					
Check applicable statement herebelow:					
Statement Under 37 CFR 1.97(e)(1)					
<input checked="" type="checkbox"/> Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.					
Statement Under 37 CFR 1.97(e)(2)					
<input type="checkbox"/> No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.					
 _____ <i>Signature</i>			Dated: <b>JUNE 22, 2005</b>		
JOHN P. O'BANION, REG. NO. 33,201 O'BANION & RITCHEY LLP 400 CAPITOL MALL, SUITE 1550 SACRAMENTO, CA 95814 (916) 498-1010			<b>Certificate of Mailing by First Class Mail</b> I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____. (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence		
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(Use as many sheets as necessary)

Application Number	10/763,578
Filing Date	JANUARY 21, 2004
First Named Inventor	ROBERT W. BOWER
Art Unit	2812
Examiner Name	
Attorney Docket Number	BOW5075.14A1

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PAGE 3/3 \* RCVD AT 6/22/2005 6:16:08 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/1 \* DNIS:8729306 \* CSID:9164981074 \* DURATION (mm-ss):01-16